



CHAMBER OF FREIGHT AND TRADE

LOCATION: GROUND FLOOR, ROOM 5, NAATETTEH HOUSE COMM. 5, TEMA

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IMMEDIATE PRESS RELEASE

Report of investigation into alleged commission of corruption and corruption related offences involving Labianca Group or Companies and the Customs Division of the Ghana Revenue Authority.

The Office of the Special Prosecutor Got it all Wrong, This is a clear case of Give a Dog a Bad name and Hang it.

The chamber of freight and trade has come a cross a purported report on investigations carried out by the office of the special prosecutor into alleged corruption and corruption related offences involving Labianca and the Customs Division of The Ghana Revenue Authority in the media space, we are baffled by the contents of the report and are clear in our minds that the OSP got it wrong and their attempts to link the Member of the council of state Ms. Eunice Jacqueline Buah Asomah-Hinneh to an alleged act of influence peddling is a clear case of Give a dog a bad name and hang it.

The chamber strongly believes that both Labianca and the Customs division of GRA acted in accordance to the Laws of Ghana specifically the Customs Act 2015 (Act 891). It is never out of place or illegal for any importer for this matter Labianca company limited to engage Customs after the first three years of operations for "customs advance ruling" under section 12 of the customs Act(Act 891). The company or their Agents may not have known that there is a provision in the customs Act that allow for an engagement with Customs for value acceptance within their first three years of operations.

This provision in the Customs Act does not in any way discriminate against any person on condition of their position, religion, status, tribe, Colour or creed, it is open to every importer and export, Ghanaians and foreigners. Hence the link of the application of the law to the position of the director and owner of the company is neither here nor there. By Law the Customs Division of the GRA are the only agency mandated for the classification and valuation of Cargo that are imported or exported out of Ghana, sections 66 and 67 of Act 891 in reference. Importer like Labianca has no hand in the method of valuation and values customs may apply to their cargo at all time.

Over the years Labianca has been applying to customs to engage them in Customs advance ruling under section 12 of the Customs Act (Act 891), Customs has the authority to either accept or reject the applications and write to the company indicating reasons for rejection or acceptance at no point during investigation did the customs division of the GRA stated that they approved the application under duress or base on the influence of the director of the company hence it is surprising and factual inaccurate for the OSP to come to the conclusion of influence peddling.



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Under Customs Law Act 891 and the World Trade Organisation Valuation Benchmarking is not a method of valuation hence marking down or up of benchmark values is never a crime or illegality if anything at all benchmarks values in itself is illegal.

The Customs Division of GRA and its deputy Commissioner in charge of Operations Mr. Adu Kyei acted within the confines of law which is section 12 of the Customs Act (Act 891) which set out the rules and conditions for Advance ruling, Customs is a member of the World Customs Organisation hence Mr. Adu Kyei was not wrong to have also relied on the rules and guidelines of the WCO with respect to advance ruling.

Payment of short collections after clearance of cargo is also captured in the Customs Act (Act 891) section 7 which gives Customs the authority to visit importer premises to audit goods that have already been cleared, if customs during post clearance audit finds out that the value they themselves approved is less they can reassess for the shortfall in duties and present to the importer to make payments, hence the impression been created that Labianca's acceptance and payment of the short collection is an indication of acceptance of guilt is also factually incorrect.

We wish to state that we are clear in our minds and strongly believe same to be true that both Labinaca Company, it's CEO Ms. Eunice Jacqueline Buah Adomaa-Hennieh and Customs did not violate the Law in any way and has not acted in contrary to the Customs Act 891. And there was no influence peddling as the report seeks to paint.

In conclusion, as a country we shouldn't be quick to destroy and bring down indigenous Ghanaian Company who are doing very well in both tax payment and employment generation.

God bless us all.

Sign

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